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STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

May 13, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Ref.: RP-6930

Maui

Cancellation of Revocable Permit Number S-6930 to Harry K. and Pearl O. Pahukoa for Agriculture Purposes, and Issuance of a New Revocable Permit to Pearl Pahukoa for Agriculture Purposes at Wailua Homesteads, Wailua, Koolau, Hana, Maui, Tax Map Key: (2) 1-1-004:006.

APPLICANT:

Pearl Pahukoa, a single person, Tenant in Severalty, Haiku, Hawaii 96708.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government Crown land of the Wailua Homesteads, Wailua, Hana Koolau, Maui, identified by Tax Map Key: (2) 1-1-004:006. Refer to the attached map labeled Land Board Exhibit A.

AREA:

1.530 acres, more or less.

ZONING:

State Land Use District: Agriculture
County of Maui CZO: Agriculture

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State
Constitution: YES _____ NO x

CURRENT USE STATUS:

The parcel is currently encumbered by revocable permit No. S-6930, to Harry K. Pahukoa (deceased) and Pearl O. Pahukoa, for General Agriculture purposes (Taro and Ti leaf cultivation). Revocable permit No. S-6930 is to be cancelled upon approval of a new revocable permit to Pearl O. Pahukoa.

CHARACTER OF USE:

Agriculture purposes.

COMMENCEMENT DATE:

The first day of the month to be determined by the Chairperson.

MONTHLY RENTAL:

To be determined by staff appraiser, subject to review and approval by the Chairperson.

COLLATERAL SECURITY DEPOSIT:

Twice the monthly rental.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

DCCA VERIFICATION:

Applicant is not operating a business and, as such is not required to register with DCCA.

REMARKS:

The subject parcel was formerly encumbered by revocable permit number S-6638, to Mr. Robert Puu for agriculture purposes. Due to poor health, Mr. Puu requested a cancellation of his permit and in turn, his relatives Harry and Pearl Pahukoa, requested the issuance of a new permit for the same use on the subject parcels.

Pursuant to Board action of July 8, 1994, Item F-1-b a month-to-month revocable permit was issued to Harry K. Pahukoa and Pearl O. Pahukoa for the cultivation of taro and ti leaf on parcels (2) 1-1-004:006 and 018.

On June 30, 1999, Mr. Harry K. Pahukoa died at the age of 65. After Mr. Pahukoa's death, Mrs. Pahukoa continued to farm parcel 006 but due to the lack of access and the location of parcel 018, she has abandoned the use of this property. During a site inspection of the subject permit areas on June 30, 2009, Mrs. Pahukoa expressed her desire to amend the existing revocable permit by removing parcel 018 from the current permit.

The proposed use is allowable in the county zoning for the subject area and have not changed from its previous use.

Ms. Pearl Pahukoa has not had a lease, permit, easement or other disposition of State lands terminated within the last five years due to non-compliance with such terms and conditions.

There have been no other applications submitted or interest from the public with regards to the use of the subject parcel.

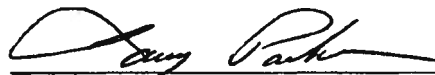
There will be no change in use for the subject parcel, therefore no outside request for comments were solicited.

Due to the location of the subject parcel and the intent to continue with the same agricultural use, a Month to month tenancy is the most appropriate disposition at this time.

RECOMMENDATION: That the Board:

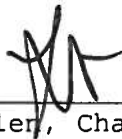
1. Declare that, after considering the potential effects of the proposed disposition as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.
2. Authorize the cancellation of Revocable Permit number S-6930 to Harry K. and Pearl O. Pahukoa.
3. Authorize the issuance of a new revocable permit to Pearl O. Pahukoa under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Larry Pacheco
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



For or MAILUA HMSTDS, KOOLAU, HANA, MAUI.



EXHIBIT A